

REMARKS

Applicant wishes to thank the Examiner for the courtesy extended to the telephone interviews conducted on April 23 and April 24, 2009. Applicant respectfully requests reconsideration of this application in view of the foregoing amendment and following remarks.

Status of the Claims:

Claims 1-7, 14-20, 51 and 55-62 are pending in this application, of which claims 1 and 14 are independent. All of the pending claims stand rejected. By this amendment, claims 1 and 14 are amended. New claims 75 and 76 are added. No new matter has been added by this amendment.

Rejections under 35 U.S.C. § 103(a):

In paragraph four (4) of the Office Action, claims 1, 2, 4, 5, 7, 14, 15, 17, 18, 20, 51, 55, and 60 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 6,298,405 to Ito (“Ito”) in view of U.S. Patent No. 7,262,873 to Rasche (“Rasche”).

In paragraph five (5) of the Office Action, claims 3, 16, 57 and 62 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Ito in view of Rasche, and further in view of U.S. Pub. No. 2003/0007169 to Tanaka (“Tanaka”). In paragraph six (6) of the Office Action, claims 6 and 19 have been rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Ito in view of Rasche, and further in view of U.S. Patent No. 6,552,743 to Rissman (“Rissman”).

In paragraph seven (7) of the Office Action, claims 56 and 61 have been rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Ito in view of Rasche, and further in view of U.S. Patent No. 6,357,021 to Kitagawa (“Kitagawa”).

Independent claims 1 and 14 have been amended for further clarification. In particular, amended claim 1 recites, *inter alia*:

a detection unit which automatically detects, upon a connection between the image sensing apparatus and the external printing apparatus is being established, whether control relation between the image sensing apparatus and the external printing apparatus is a first type of direct printing in which the external printing apparatus and the image sensing apparatus are connected in Mass Storage Class mode of USB and the external printing apparatus is configured in such a way that a memory in the image sensing apparatus can be accessed directly from the external printing apparatus, or a second type of direct printing in which the external printing apparatus is configured in such a way that processing in the external printing apparatus can be controlled by a controller of the image sensing apparatus, by communication with the external printing apparatus via the interface; and

a processing controller which automatically changes a processing procedure for processing an image in the image sensing apparatus by the external printing apparatus based on the detection.” [Emphasis added]

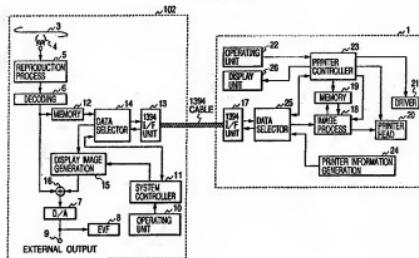
Claim 14, a method claim that mirrors claim 1, is amended in a similar manner to claim 1 described herein. Support for the amendment may be found, e.g., at paragraphs [0041] and [0042] of the corresponding published application (i.e., U.S. Pub. No. 2004/0012805 A1).

One of the aspects of the present invention is to enhance the control capability of the image sensing apparatus for a direct printing. Specifically, upon a connection between the image sensing apparatus and the external printing apparatus being established (e.g., at the time when the connection between the image sensing apparatus and the external printing apparatus is established), the detection unit automatically detects whether the external printer connected to the image sensing apparatus is operable with a first type of direct printing of a Mass Storage Class mode of USB (i.e., the external printer recognizes the image sensing apparatus as a mere storage device) or a second type of direct printing (e.g., a New Camera Direct Print mode where the external printer recognizes the image sensing apparatus as a camera). Upon detecting one of the modes, the processing controller automatically changes the processing procedure such that it conforms with either the first mode or the second mode of direct printing. With this feature of the invention, the image sensing apparatus can be connected to any printer (i.e., regardless of manufacturer) for a direct printing operation, e.g., the user of the image sensing apparatus does

not need to check the model and/or manufacture of an external printer for a direct printing. See, e.g., the background of the invention section of the present application.

Ito discloses a data communication system where a VTR and a printer are connected via an IEEE 1394 cable performing various operations including a direct printing. Referring to Fig. 23 as reproduced below, Ito teaches that a direct printing is performed by entering a specific instruction into the operating unit 10 of the VTR 102 in which control data is transmitted from the VTR 102 to the printer 1. See, e.g., col. 21, lines 39-43. Ito also teaches that the VTR can be controlled from the printer by entering an instruction to the operating unit 22 of the printer 1 during the direct printing operation. See, e.g., col. 22, lines 4-14.

FIG. 23



In the *Response to Arguments* section, the Examiner appears to interpret the added sentence in claim 1 from the previous amendment (i.e., when a connection between the image sensing apparatus and the external printing apparatus is established) to mean “during a time when a connection is established between the two devices.” The Office Action indicates:

When looking at the claim language and Applicant's arguments, the Examiner still is convinced that the Ito '405 and Rasche '873 references perform the feature of the independent claims. The amended claim feature in question is interpreted as a unit that detects the control relation between an image sensing apparatus and a printing apparatus, during a time when a connection is established between the two devices.¹

¹ Pages 2-3 of the Office Action.

As indicated above, claims 1 and 14 have been amended to clarify that the detection unit detects the mode of direct printing "upon" (i.e., at the time when) the connection between the image sensing apparatus and the external printing apparatus being established, not "during" some time when the connection has already been established, as the Examiner asserts. The Office Action further asserts that:

As stated before, it is inherent to the invention to have the camera or VTR contain a device to determine if the camera is going to control an external device or be controlled by the external device. It is also clear that the VTR or camera has to have a unit to detect whether the instruction entered into the VTR are from the user for the VTR to control the printer (i.e. operating in a 2nd mode) or instructions from the printer used to control VTR (i.e. operating in a 1st mode). While the VTR or camera is detecting the incoming instructions, the VTR has established a connection with the printing device.²

Applicant believes that the Examiner's rejection is baseless based on an improper hindsight reasoning relying on the knowledge gleaned only from Applicant's disclosure. First of all, as Applicant explained above, while Ito discloses that the printer may control the VTR and the VTR may control the printer, Ito is silent in disclosing a direct printing mode where the VTR and camera are "connected in Mass Storage Class mode of USB" where the external printing apparatus recognizes the image sensing apparatus as a memory and directly accesses the memory of the image sensing apparatus by issuing, e.g., read/write commands. Applicant note that Ito's "control" of the VTR from the camera as disclosed in the Ito's specification does not necessarily mean that the camera directly accesses the memory of the VTR, as required by amended claim 1.

Secondly, even if the description of Ito (e.g., col. 21, line 20- col. 23, line 24) is regarded as disclosing a multiple mode of direct printings as claimed, there is simply nothing in Ito that teaches that one of the two direct printing modes is automatically detected upon the VTR and camera is being connected, and the processing procedure is changed automatically based on the

² Page 4 of the Office Action.

detection, as specifically recited in amended claim 1. Applicant believes that disclosing several modes of direct printing does not necessarily mean that one of these modes is automatically detected when the two devices are connected, and the processing procedure is changed automatically according to the detection, as required by amended claim 1. As explained above, these features of the present invention enable the user of the image sensing apparatus to connect any type (e.g., manufacturer) of printer without concern about the type of printer.

In view of the above, Applicant believes that Ito at least fails to teach the "detection unit" and the "processing controller" of claim 1 as amended.

The secondary reference Rasche is cited as disclosing an external printing apparatus configured in such a way that a memory in the image sensing apparatus can be accessed directly from the external printing apparatus. However, as Applicant understands it, Rasche also fails to teach the inventive aspect of amended claim 1 discussed above (i.e., the detection unit and the processing controller), and cannot therefore remedy the primary reference Ito. Applicant believes that none of the other secondary references cited by the Examiner (i.e., Tanaka, Rissman and Kitagawa) teaches the missing element from the primary reference Ito as discussed above.

Accordingly, each of claims 1 and 14, as amended, is believed neither anticipated by nor rendered obvious in view of the cited references (Ito, Rasche, Tanaka, Rissman and Kitagawa), either taken alone or in combination, for at least the reasons discussed above. Reconsideration and withdrawn of the rejection of claims 1 and 14 under 35 U.S.C. § 103(a) is therefore respectfully requested.

Applicant has chosen in the interest of expediting prosecution of this patent application to distinguish the cited documents from the pending claims as set forth above. These statements should not be regarded in any way as admissions that the cited documents are, in fact, prior art.

Also, Applicant has not individually addressed the rejections of the dependent claims because Applicant submits that the independent claims from which they respectively depend are in condition for allowance as set forth above. Applicant however reserves the right to address such rejections of the dependent claims should such be necessary.

New claims 75 and 76 have been added to recite the invention in an alternative manner. Specifically, each of claims 75 and 76 depends from claims 1 and 14 as amended, and is accordingly believed allowable for at least the similar reasons discussed above for claim 1. Support for the new claims may be found, e.g., at paragraph [0043] and [0049] along with Fig. 4 of the corresponding published application.

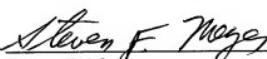
Applicant believes that the application as amended including the new claims is in condition for allowance and such action is respectfully requested.

AUTHORIZATION

No petitions or additional fees are believed due for this amendment and/or any accompanying submissions. However, to the extent that any additional fees and/or petition is required, including a petition for extension of time, Applicant hereby petitions the Commissioner to grant such petition, and hereby authorizes the Commissioner to charge any additional fees, including any fees which may be required for such petition, or credit any overpayment to Deposit Account No. 50-4827 (Order No. 1004288.50800).

An early and favorable examination on the merits is respectfully requested.

Respectfully submitted,
Locke Lord Bissell & Liddell LLP

Dated: May 5, 2009 By: 
Steven F. Meyer
Registration No. 35,613

Correspondence Address:

Locke Lord Bissell & Liddell LLP
3 World Financial Center
New York, NY 10281-2101
(212) 415-8600 (Telephone)
(212) 303-2754 (Facsimile)